GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA

UNSTARRED QUESTION NO:3525
ANSWERED ON:08.08.2016
RCEP Negotiations on IPR
Panda Shri Baijayant "Jay"

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the present status of the negotiations for the Regional Comprehensive Economic Partnership (RCEP) indicating India"s stand on RCEP negotiations on Intellectual Property Rights (IPR) chapter;
(b) whether the RCEP negotiations on IP chapter are not likely to go beyond the commitments made under Trade-Related Aspects of Intellectual Property Rights (TRIPS) agreement and if so, the details thereof along with the steps taken in this regard;
(c) whether there have been proposals from Japan and South Korea to include provisions concerning dilution of patentability criteria, data exclusivity, patent term extension and IP enforcement in the IPR chapter of RCEP agreement and if so, the details thereof; and
(d) whether India is considering to accept any of these provisions while signing the RCEP agreement and if so, the details thereof and if not the reasons therefor?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (INDEPENDENT CHARGE)
(SMT. NIRMALA SITHARAMAN)

(a) to (d): The negotiations on Regional Comprehensive Economic Partnership (RCEP) Agreement including Intellectual Property Rights (IPR) chapter therein have not yet been finalised. The IPR chapter of the agreement is being negotiated keeping in view our national interest as also our national legislations and various multilateral agreements on IPRs to which India is party. It may be noted that some RCEP countries had tried to introduce a clause in favour of ever greening of patents, which was dropped after stiff opposition from India.

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